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# Message Text

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ACTION ACDA-12

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NASA-01 NEA-10 NSAE-00 NSC-05 OIC-02 SP-02 PA-01
DOE-15 SAS-02 CEQ-01 OES-09 SS-15 ICA-11 NRC-05
ACDE-00 /169 W
----------021789 081811Z /73
P 081728Z SEP 78
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 3886
INFO AMEMBASSY MOSCOW PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 13536

E.O. 11652: GDS
TAGS: PARM, UR, US, CCD
SUBJECT: US-USSR CHEMICAL WEAPONS NEGOTIATIONS,
ROUND EIGHT: DRAFTING GROUP MEETING NO. 4,
SEPTEMBER 6, 1978

CW MESSAGE NO. 14

REFTEL: GENEVA 13093

7. SUMMARY. FOURTH DRAFTING GROUP MEETING OF ROUND EIGHT WAS HELD WEDNESDAY, SEPTEMBER 6, 1978. DISCUSSION FOCUSED ON (A) QUESTIONS RELATED TO NON-TRANSFER OF CHEMICALS, AND (B) QUESTIONS RELATED TO THE CEILING ON AMOUNTS OF SUPER-TOXIC CHEMICALS ALLOWED FOR PEACEFUL PURPOSES. US DEL ALSO MADE BRIEF PRESENTATION ON IRRITANTS. DISCUSSION WAS CONFUSED AND INCONCLUSIVE. END SUMMARY.

2. FOURTH DRAFTING GROUP MEETING OF ROUND EIGHT WAS HELD WEDNESDAY, SEPTEMBER 6, 1978. AS PREVIOUSLY AGREED, DISCUSSION FOCUSED ON TWO TOPICS: (A) QUESTIONS RELATED TO NON-TRANSFER OF CHEMICALS AND (B) QUESTIONS RELATED TO THE CONFIDENTIAL

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CEILING ON AMOUNTS OF SUPER-TOXIC CHEMICALS ALLOWED FOR PROTECTIVE PURPOSES. SALIENT POINTS ON THESE TOPICS AND ON QUESTION OF IRRITANTS, WHICH WAS DISCUSSED BY THE US SIDE, ARE NOTED BELOW.

3. NON-TRANSFER.

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A. US DEL MEMBER (BAY) SAID US REMAINED INTERESTED IN HEARING SOVIET RESPONSE TO PREVIOUS US REQUEST (REFTEL, PARA 5) FOR CLARIFICATION OF SOVIET POSITION ON NON-TRANSFER OF CHEMICALS. HE ALSO ASKED IF SOVIETS COULD AGREE THAT TRANSFER OF SUPER-TOXIC CHEMICALS FROM A NON-PARTY TO TO A PARTY SHOULD BE PROHIBITED.

B. SOVIET ALTERNATE DEL HEAD (NAZARKIN) RESPONDED THAT SOVIET PROPOSAL TO BAN TRANSFER OF SUPER-TOXIC CHEMICALS TO NON-PARTIES FOR ANY PURPOSE INCLUDED TRANSFER FOR PEACEFUL PURPOSES AS WELL AS FOR PROTECTIVE PURPOSES. HE SAID THAT THE TWO SIDES AGREED THAT TRANSFERS OF SUPER-TOXIC CHEMICALS BETWEEN STATES PARTIES SHOULD BE ALLOWED AND SHOULD BE ACCOMPANIED BY SOME KIND OF LIMITATION. HE SAID THAT U.S. PROPOSAL FOR NOTIFICATION THIRTY DAYS IN ADVANCE OF SUCH TRANSFERS APPEARED TO BE A KIND OF LIMITATION AND INDICATED THAT THE SOVIETS WOULD CONTINUE TO STUDY IT. HE ASKED IF THE U.S. PROPOSED TO HAVE ANY OTHER LIMITATIONS ON TRANSFERS AMONG STATES PARTIES. (COMMENT: US PROPOSALS ON NON-TRANSFER WERE MADE IN LATE MARCH. END COMMENT.)

C. NAZARKIN ALSO ASKED FOR U.S. RESPONSE TO PREVIOUS SOVIET PROPOSALS TO: (1) BAN TRANSFER OF ANY INCAPACITANTS AND THOSE IRRITANTS WHICH CAN BE USED FOR MILITARY PURPOSES, AND (2) PRECLUDE SETTING UP PRODUCTION FACILITIES ON THE TERRITORY OF NON-PARTIES FOR THE PURPOSE OF CIRCUMVENTING THE CONVENTION.

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D. NAZARKIN ALSO INDICATED THAT UNDER THE SOVIET APPROACH A PARTY SHOULD BE ALLOWED TO IMPORT SUPER-TOXIC CHEMICALS FOR PROTECTIVE PURPOSES, EVEN FROM NON-PARTIES.

E. REFERRING TO U.S. PROPOSAL TO PLACE LIMITATIONS ON TRANSFER OF PRECURSORS, NAZARKIN SAID THAT IN PRINCIPLE THE SOVIET SIDE SUPPORTS PROHIBITION OF THE TRANSFER OF PRECURSORS FOR MILITARY PURPOSES. HE INDICATED THAT DETAILED DISCUSSION WOULD BE PREMATURE, HOWEVER, UNTIL THE TWO SIDES REACHED A COMMON UNDERSTANDING OF THE TERM "PRECURSOR". (COMMENT: ALTHOUGH BELIEVING PRECURSORS ISSUE HAD BEEN PREVIOUSLY RESOLVED, US DEL AGREED TO EXCHANGE VIEWS ON DEFINITION AT NEXT DRAFTING GROUP MEETING. END COMMENT.)

4. CEILING ON AMOUNTS OF SUPER-TOXIC CHEMICALS ALLOWED FOR PROTECTIVE PURPOSES.

A. US DEL MEMBER (LEONARD) REITERATED US PROPOSAL TO ESTABLISH A CEILING OF ONE TON ON SUPER-TOXIC CHEMICALS ALLOWED FOR PROTECTIVE PURPOSES. HE CRITICIZED THE SOVIET

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APPROACH ON THIS TOPIC SINCE IT APPEARED TO ALLOW THE US AND USSR TO HAVE ONE TON, EVEN IF THEIR ACTUAL NEEDS WERE LESS, WHILE THE CONSULTATIVE COMMITTEE WOULD DETERMINE THE QUOTA FOR OTHER STATES. LEONARD SAID THE SOVIET POSITION PRESENTED A SITUATIDN WHICH WOULD BE UNACCEPTABLE TO OTHERS BECAUSE IT GAVE THE U.S. AND USSR SPECIAL TREATMENT.

B. LEONARD ALSO SAID THE AUGUST 23 SOVIET PLENARY STATEMENT COULD BE INTERPRETED TO MEAN THAT U.S. PROPOSALS FOR REPORTING ON OTHER CHEMICALS FOR PROTECTIVE PURPOSES WERE ACCEPTABLE TO THE SOVIET SIDE. HE ASKED FOR CONFIRMATION.

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C. NAZARKIN STATED THAT THE SOVIET POSITION ON THE AMOUNT OF SUPER-TOXIC CHEMICALS FOR ANY STATE PARTY OTHER THAN THE USSR AND U.S. IS BASED ON FOUR "BASIC PRINCIPLES." (1) THE AMOUNT SHOULD BE A FRACTION OF THE ONE TON PERMITTED THE U.S. AND USSR; (2) EACH PARTY WILL DETERMINE FOR ITSELF ITS REQUIREMENTS WITHIN THE ONE-TON CEILING; (3) THE DETERMINATION OF THE AMOUNT WILL BE MADE BY THE PARTY ON THE BASIS OF AN EXPERT ASSESSMENT CARRIED OUT BY THE CONSULTATIVE COMMITTEE; HOWEVER, THE CONSULTATIVE COMMITTEE WILL NOT SET CEILINGS; (4) THE TYPES AND QUANTITIES OF CHEMICALS USED WILL BE DECLARED BY EACH PARTY SIX MONTHS AFTER ENTRY INTO FORCE AND SUBSEQUENTLY AT LONGER INTERVALS TO BE SPECIFIED IN THE CONVENTION.

D. NAZARKIN SAID THAT FOR THE PURPOSE OF BRINGING THE TWO SIDES CLOSER TOGETHER IT WOULD BE USEFUL FOR THE

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U.S. TO PUT FORWARD ITS VIEWS ON THE PROCEDURE FOR DETER-
MINING THE CEILING FOR PARTIES OTHER THAN THE U.S. AND
USSR. THIS WOULD ALLOW THE POSITIVE ASPECT OF THE U.S.
POSITION ON THIS QUESTION TO BE TAKEN INTO ACCOUNT IN
PREPARATIONS FOR THE NEXT ROUND. (COMMENT: U.S. HAD
PUT FORWARD ITS PROPOSALS ON THIS TOPIC IN LATE MARCH.
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WE PLAN TO REITERATE THEM AT A FUTURE DRAFTING GROUP
MEETING. END COMMENT).

E. NAZARKIN RAISED THE ISSUE OF THE LIFE SPAN OF THE
CEILING. HE ASSERTED THAT THE U.S. POSITION MEANT THAT
THE CEILING WOULD HAVE A LIFE SPAN OF ONLY FIVE TO SEVEN
YEARS, EXPIRING BEFORE THE FIRST REVIEW CONFERENCE.
(THE SOVIET DRAFT CONVENTION PROVIDES FOR THE FIRST
REVIEW CONFERENCE TO BE HELD EIGHT YEARS AFTER ENTRY
INTO FORCE). HE SAID THAT IN THE SOVIET VIEW THE SAME
CEILING COULD REMAIN IN FORCE INDEFINITELY. U.S.
ALTERNATE DEL HEAD (FLOWERREE) THEN MADE CLEAR THAT THE
U.S. HAD NOT PROPOSED THAT THE CEILING HAVE A LIMITED LIFE
SPAN, BUT ONLY THAT THE NEED FOR USING SUPER-TOXIC
CHEMICALS IN PROTECTIVE TRAINING BE REVIEWED AFTER FIVE
YEARS. NAZARKIN SAID A REVIEW PROVISION ALONG SUCH LINES
WOULD BE INAPPROPRIATE SINCE REVIEW CONFERENCE COULD
REVIEW ANY PART OF THE CONVENTION.
F. IN RESPONSE TO U.S. QUERY ABOUT THE PROPOSED ROLE
OF THE CONSULTATIVE COMMITTEE IN ESTABLISHING QUOTAS,
NAZARKIN EMPHASIZED THAT EACH PARTY MUST DETERMINE ITS
OWN REQUIREMENTS. THE CONSULTATIVE COMMITTEE WOULD NOT
MAKE THE DECISION, BUT RATHER MAKE AN EXPERT EVALUATION
FOR THE PARTY TO TAKE INTO ACCOUNT. HE SAID THE SOVIETS
WERE TRYING TO ACCOMMDDATE THE U.S. VIEW THAT THE CONSUL-
TATIVE COMMITTEE SHOULD HAVE A ROLE IN THIS MATTER.

6. IRRITANTS

FLOWERREE MADE BRIEF PRESENTATION ON IRRITANTS IN
RESPONSE TO SOVIET AUGUST 29 PLENARY REMARKS. HE SAID
THAT U.S. HAD CONCLUDED EARLIER THAT BOTH SIDES HAD A
COMMON VIEW CONCERNING THE WAY IRRITANTS SHOULD BE DEALT
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WITH. HE STRESSED THAT THE RELEVANT PROVISIONS OF THE
CONVENTION SHOULD APPLY EQUALLY TO ALL PARTIES. FINALLY,
FLOWERREE SAID THE U.S. WAS PREPARED TO CONSIDER SOVIET

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VIEWS ON HOW BEST TO HANDLE THE U.S.-SOVIET UNDERSTANDING CONCERNING LEGITIMATE USES OF IRRITANTS NOT COVERED BY THE CONVENTION.

7. NEXT PLENARY MEETING HAS BEEN SCHEDULED FOR MONDAY, SEPTEMBER 11, AT SOVIET REQUEST. SOVIETS WILL HAVE A PLENARY STATEMENT. NEXT DRAFTING GROUP MEETING TO BE SCHEDULED AT THE PLENARY MEETING. VANDEN HEUVEL

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# Message Attributes

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**Disposition Approved on Date:**
**Disposition Case Number:** n/a
**Disposition Comment:** 25 YEAR REVIEW
**Disposition Date:** 20 Mar 2014
**Disposition Event:**
**Disposition History:** n/a
**Disposition Reason:**
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**Drafter:** n/a
**Enclosure:** n/a
**Executive Order:** GS
**Errors:** N/A
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**Review Event:**
**Review Exemptions:** n/a
**Review Media Identifier:**
**Review Release Date:** n/a
**Review Release Event:** n/a
**Review Transfer Date:**
**Review Withdrawn Fields:** n/a
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**Review Markings:**
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